

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
JUL 31 2007
at 8 o'clock and 30 min. M.
SUE BEITIA, CLERK

LODGED

JUL 26 2007
11:45 AM AG
CLERK, U.S. DISTRICT COURT
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED PUBLIC WORKERS,)	CIVIL NO. 03-00598 DAE/LEK
AFSCME LOCAL 646, AFL-CIO,)	
MUTUAL AID FUND TRUST,)	STIPULATED PROTECTIVE
)	ORDER REGARDING
Plaintiff,)	SETTLEMENT OF CLAIMS
)	AGAINST ALBERT HEWITT'S
vs.)	INSURER
)	
GARY W. RODRIGUES,)	
)	
Defendant.)	
_____)	(Trial: August 28, 2007)

STIPULATED PROTECTIVE ORDER REGARDING
SETTLEMENT OF CLAIMS AGAINST ALBERT HEWITT

WHEREAS, Plaintiff UNITED PUBLIC WORKERS, AFSME,
LOCAL 646, AFL-CIO, MUTUAL AID FUND TRUST received a settlement
payment pursuant to a confidential settlement with Albert Hewitt's insurer, and

Defendant Gary Rodrigues has requested the amount of the confidential settlement and any documents in Plaintiff's possession relating to such amount.

WHEREAS, Plaintiff is willing to produce such information in lieu of a motion to compel, provided that the Court orders that Plaintiff shall produce such confidential information and also orders that its confidentiality shall be protected thereafter.

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, Defendant Gary W. Rodrigues and Plaintiff United Public Workers, AFSME, Local 646, AFL-CIO, Mutual Aid Fund Trust, by and through their respective undersigned attorneys that information regarding the settlement of Plaintiff United Public Workers, AFSME, Local 646, AFL-CIO, Mutual Aid Fund Trust claims against Albert Hewitt's insurer is ordered to be disclosed and will be disclosed to counsel for Defendant Gary W. Rodrigues upon the following conditions:


1. Such information contained therein shall be treated as "Confidential Information;"
2. Such "Confidential Information" shall not be disclosed, circulated, released, or otherwise published to any parties except as may be necessary for counsel's preparation for the trial of this matter, or any related appellate proceeding, or as ordered by the court, and not for any other purpose;

3. Unless otherwise ordered by the court, such “Confidential Information” only will be disclosed to the following persons:
 - A. Counsel for Defendant Gary W. Rodrigues in this action;
 - B. Paralegal, stenographic, clerical and secretarial personnel regularly employed by counsel in this action;
 - C. Court personnel including stenographic reporters engaged in proceedings that are related to preparation for trial in this action;
 - D. Witnesses who may have “Confidential Information” disclosed to them during deposition proceedings where necessary and related to preparation for trial in this action, but such witnesses shall be instructed not to disclose, circulate, release, or otherwise publish such information to any parties;
4. Other than court personnel identified in 3C. above, each person to whom such “Confidential Information” is disclosed shall at the time of disclosure be provided by the person furnishing such material a copy of this stipulation, and shall agree in writing that he/she has read the stipulation and that he/she understands the provisions of this stipulation;
5. Provisions of this stipulation shall be in effect until further notice from this Court.

All parties who have appeared in this action have signed this stipulation.

DATED: Honolulu, Hawai'i, July 25, 2007.

GARY W. RODRIGUES, Defendant

By 

ERIC A. SEITZ, ESQ.
His Counsel

DATED: Honolulu, Hawai'i, July 25, 2007.

UNITED PUBLIC WORKERS, AFSME, LOCAL 646,
AFL-CIO, MUTUAL AID FUND TRUST, Plaintiff

By Charles Price
JAMES K. KOSHIBA, ESQ.
CHARLES A. PRICE
Its Counsel

APPROVED AND SO ORDERED

Ledie F. Vakayathi
JUDGE OF THE ABOVE-ENTITLED COURT
Dated: 7/30/07

UNITED PUBLIC WORKERS, ET AL. v. GARY W. RODRIGUES, CIVIL NO.
03-00598 DAE-LEK, STIPULATED PROTECTIVE ORDER REGARDING
SETTLEMENT OF CLAIMS AGAINST ALBERT HEWITT'S INSURER